



February 20, 2009

HOUSE BILL No. 1733

DIGEST OF HB 1733 (Updated February 18, 2009 12:33 pm - DI 109)

Citations Affected: IC 20-20; IC 20-26; noncode.

Synopsis: Division of interscholastic athletics. Creates the division of interscholastic athletics within the department of education to administer all interscholastic athletic programs. Allows the division to enter into agreements with nonpublic schools for participation in interscholastic athletic programs. Provides that a school corporation may participate only in interscholastic athletics that are governed by the division. Repeals the law concerning interscholastic athletic association case review panels.

Effective: Upon passage.

Niezgodski

January 22, 2009, read first time and referred to Committee on Rules and Legislative Procedures.

February 16, 2009, reassigned to Committee on Education.

February 19, 2009, amended, reported — Do Pass.

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HB 1733—LS 6588/DI 44+



February 20, 2009

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

HOUSE BILL No. 1733

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-20-37 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]:

4 **Chapter 37. Division of Interscholastic Athletics**

5 **Sec. 1. As used in this chapter, "director" refers to the director**
6 **of interscholastic athletics.**

7 **Sec. 2. As used in this chapter, "division" refers to the division**
8 **of interscholastic athletics established by section 3 of this chapter.**

9 **Sec. 3. There is established within the department the division**
10 **of interscholastic athletics.**

11 **Sec. 4. (a) The division is governed by a nine (9) member**
12 **interscholastic athletics board of directors appointed under this**
13 **section.**

14 **(b) The state superintendent shall appoint a member to**
15 **represent each congressional district. A member must reside in the**
16 **congressional district the member represents.**

17 **(c) The term of a member:**

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- (1) is four (4) years;
- (2) begins on July 1 of the year of appointment; and
- (3) continues until a successor is appointed.
- (d) A member may be appointed to successive terms.
- (e) The interscholastic athletics board shall meet:
 - (1) at least one (1) time each month; and
 - (2) at the call of the chairperson.

Sec. 5. The interscholastic athletics board shall elect from its membership a chairperson, a vice chairperson, and other necessary officers. A member of the board is entitled to the following:

- (1) The salary per diem provided under IC 4-10-11-2.1(b).
- (2) Reimbursement for traveling expenses as provided under IC 4-13-1-4.
- (3) Other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

Sec. 6. The interscholastic athletics board has the following powers and duties:

- (1) To regulate, supervise, and administer all interscholastic athletic programs.
- (2) To cooperate with all agencies concerned with the health and educational welfare of secondary school students.
- (3) To establish standards for eligibility, competition, and sportsmanship while providing protection against the exploitation of schools or students.
- (4) To determine qualifications for individual contestants, coaches, and officials.
- (5) To enter into agreements with nonpublic schools concerning their participation in interscholastic athletic programs.
- (6) To adopt, with the approval of the state board, rules governing interscholastic athletic programs.
- (7) To appoint, with the approval of the state superintendent, a director of interscholastic athletics. The director serves at the will of the board. The compensation of the director shall be fixed by the budget agency with the approval of the state superintendent.
- (8) With the consent of the state superintendent and the budget agency, to appoint and fix salaries for any assistants and other personnel needed to enable the director to accomplish the duties of the director's office.

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1 **Sec. 7. After June 30, 2009, a school corporation may**
2 **participate in an athletic event only if the athletic event is**
3 **conducted, organized, sanctioned, or sponsored by the division**
4 **under this chapter.**

5 SECTION 2. IC 20-26-14 IS REPEALED [EFFECTIVE UPON
6 PASSAGE].

7 SECTION 3. [EFFECTIVE UPON PASSAGE] (a) **As used in this**
8 **SECTION, "board" refers to the interscholastic athletics board**
9 **appointed under IC 20-20-37-4, as added by this act.**

10 **(b) As used in this SECTION, "state superintendent" refers to**
11 **the state superintendent of public instruction.**

12 **(c) The state superintendent shall make the appointments under**
13 **IC 20-20-37-4, as added by this act, not later than June 15, 2009.**

14 **(d) Notwithstanding IC 20-20-37-4(c)(1), as added by this act,**
15 **the state superintendent shall designate four (4) members**
16 **appointed under this SECTION to serve terms beginning July 1,**
17 **2009, and ending June 30, 2011.**

18 **(e) This SECTION expires July 1, 2011.**

19 SECTION 4. [EFFECTIVE UPON PASSAGE] (a) **IC 20-20-37-7,**
20 **as added by this act, does not apply to a contract entered into**
21 **before July 1, 2009, for the conduct, organization, sanctioning, or**
22 **sponsorship of an athletic event.**

23 **(b) A contract described in subsection (a) may not be extended**
24 **or renewed if the contract would violate IC 20-20-37-7, as added by**
25 **this act.**

26 **(c) This SECTION expires June 30, 2014.**

27 SECTION 5. **An emergency is declared for this act.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1733, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to HB 1733 as introduced.)

PORTER, Chair

Committee Vote: yeas 7, nays 5.

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